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January 31, 2025

VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: Primitivo Robles v. MNG Missouri Holdings, LLC
Case No. 1:24-cv-07521-VEC

Dear Judge Caproni,

We represent Plaintiff Primitivo Robles in connection with the above-referenced matter. With the consent of Defendant, MNG Missouri Holdings LLC (“Defendant”), we respectfully request an adjournment of the scheduled Initial Pretrial Conference due to extenuating circumstances. We received an email from Your Honor’s Chambers today, indicating that pursuant to the Court’s October 8, 2024, Notice (Dkt. 5), the parties were required to file a joint letter on January 30, 2025, granting the parties until today, January 31, 2025, to file such documents.

Upon receipt of this email, we conducted a search of our emails and discovered a chain from a former employee of Joseph & Norinsberg, LLC, Nathaniel Peckham, Esq., and Allie Faver, Esq., general counsel for Defendant MNG Missouri Holdings. We immediately reached out to Ms. Faver, Esq., who explained that she was not in her office today but specifically recalled attempting to contact the former employee, Nathaniel Peckham, Esq., on several occasions to no avail. (See attached emails from Ms. Faver to Mr. Peckham.)

Counsel further offered that they were open to resolving this matter and that we would resume this conversation early next week. We jointly and respectfully request an adjournment of all proceedings so that the parties can conduct an unbiased conversation regarding the Complaint and potential resolution of this matter. The parties concur that continuing the previously scheduled proceedings would be a waste of valuable judicial resources better utilized elsewhere, as it is reasonable to presume that resolution will be forthcoming shortly.

Thank you for your consideration.

Sincerely,

JOSEPH & NORINSBERG, LLC



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Application GRANTED IN PART. This letter provides no explanation why the parties have waited until now to engage in settlement discussions, notwithstanding the fact that Defendant was served in October (*see* Dkt. 6) and the parties were ordered to meet and confer for at least one hour in a good-faith attempt to settle this case not later than January 15, 2025 (*see* Dkt. 5, ¶ 4).

The initial pretrial conference and Defendant's deadline to answer the Complaint are ADJOURNED by one week to **Friday, February 14, 2025, at 10:00 A.M.** The conference will take place in Judge Caproni's new courtroom: Courtroom 20C of the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, 10007. The pre-conference joint letter and proposed Case Management Plan, described in Paragraph 5 of the Notice of Initial Pretrial Conference, are due **Thursday, February 6, 2025**. These deadlines will not be adjourned again.

Counsel for Defendant is reminded that notices of appearance must be entered prior to filing any materials on the public docket, including joint submissions.

SO ORDERED.



2/3/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE